

**(h) Credit for Previous Actions**

This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Embraer Service Bulletin 170-53-0142, dated December 8, 2017; Embraer Service Bulletin 190-53-0098, dated December 8, 2017; or Embraer Service Bulletin 190LIN-53-0072, dated December 15, 2017; as applicable.

**(i) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Section, Transport Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Section, send it to the attention of the person identified in paragraph (j)(2) of this AD. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the Agência Nacional de Aviação Civil (ANAC); or ANAC's authorized Designee. If approved by the ANAC Designee, the approval must include the Designee's authorized signature.

(3) *Required for Compliance (RC)*: Except as specified by paragraphs (g) and (i)(2) of this AD: For service information that contains steps that are labeled as RC, the provisions of paragraphs (i)(3)(i) and (ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is labeled "RC Exempt," then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

**(j) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Brazilian AD 2019-02-02, dated February 28, 2019, for related information. This MCAI may be found in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0325.

(2) For more information about this AD, contact Krista Greer, Aerospace Engineer,

International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3221.

(3) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (k)(3) and (4) of this AD.

**(k) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Embraer Service Bulletin SB170-53-0142, Revision 01, dated December 12, 2018.

(ii) Embraer Service Bulletin SB190-53-0098, Revision 01, dated December 12, 2018.

(iii) Embraer Service Bulletin 190LIN-53-0072, Revision 01, dated January 9, 2019.

(3) For service information identified in this AD, contact Embraer S.A., Technical Publications Section (PC 060), Av. Brigadeiro Faria Lima, 2170—Putim—12227-901 São Jose dos Campos—SP—Brasil; telephone +55 12 3927-5852 or +55 12 3309-0732; fax +55 12 3927-7546; email [distrib@embraer.com.br](mailto:distrib@embraer.com.br); internet <http://www.flyembraer.com>.

(4) You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Des Moines, Washington, on September 16, 2019.

**Michael Kaszycki,**

*Acting Director, System Oversight Division, Aircraft Certification Service.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****15 CFR Part 922**

**RIN 0648-BG02**

**Designation of Mallows Bay-Potomac River National Marine Sanctuary; Notification of Effective Date**

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notification of effective date.

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) provides notice that the designation and the final regulations to implement the designation of Mallows Bay-Potomac River National Marine Sanctuary (MPNMS) published on July 8, 2019 became effective on September 3, 2019.

**DATES:** The notification of designation and final regulations published on July 8, 2019 (84 FR 32586) became effective on September 3, 2019.

**FOR FURTHER INFORMATION CONTACT:** Paul Orlando, Regional Coordinator, Office of National Marine Sanctuaries at 240-460-1978, [paul.orlando@noaa.gov](mailto:paul.orlando@noaa.gov), or Mallows Bay-Potomac River National Marine Sanctuary, c/o NOAA Office of National Marine Sanctuaries, 1305 East West Hwy., 11th Floor, Silver Spring, MD 20910, Attention: Paul Orlando, Regional Coordinator.

**SUPPLEMENTARY INFORMATION:** The MPNMS is 18 square miles of waters and submerged lands encompassing and surrounding the Mallows Bay area of the tidal Potomac River. The area is located entirely within Maryland state waters, adjacent to the Nanjemoy Peninsula of Charles County, Maryland. The sanctuary protects nationally-significant maritime cultural heritage resources, including the fragile, historic remains of more than 100 World War I (WWI)-era U.S. Emergency Fleet Corporation (USEFC) wooden steamships known as the "Ghost Fleet," vessels related to the historic ship-breaking operations, other non-USEFC vessels of historic significance, and related maritime debris fields. The area also includes Native American sites, remains of historic fisheries operations, and Revolutionary and Civil War battlescapes. The significance of the area is recognized through its listing on the National Register of Historic Places (National Register Listing Number 15000173, April 24, 2015). NOAA, the State of Maryland, and Charles County, Maryland, will jointly manage MPNMS.

Pursuant to Section 304(b) of the National Marine Sanctuaries Act (NMSA)(16 U.S.C. 1434(b)), NOAA published the designation and final regulations to implement the designation of MPNMS on July 8, 2019 (84 FR 32586). As required by the NMSA, the designation and regulations became effective following the close of a review period of 45 days of continuous session of Congress beginning on the date of publication, unless the Governor of the State of Maryland certifies to the Secretary of Commerce that the designation or any of its terms is unacceptable. The Governor did not certify that the designation or

any of its terms is unacceptable within the review period prescribed under the NMSA. Accordingly, NOAA announces the designation and the final regulations to implement the designation of MPNMS became effective on September 3, 2019.

(Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

**Paul M. Scholz,**

*Chief Financial Officer/Chief Administrative Officer, National Ocean Service.*

[FR Doc. 2019-20608 Filed 9-25-19; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Parts 200, 201, 229, 230, and 240

[Release No. 34-86982; File No. S7-09-17]

#### Technical Amendments To Update Cross-References to Commission's FOIA Regulations

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule; technical amendments.

**SUMMARY:** The Securities and Exchange Commission ("SEC" or "Commission") is adopting technical amendments to update cross-references to reflect amendments to the Commission's Freedom of Information Act ("FOIA") regulations published as a final rule on June 28, 2018.

**DATES:** Effective September 26, 2019.

**FOR FURTHER INFORMATION CONTACT:** Mark Tallarico, Senior Counsel, (202) 551-5132, Office of the General Counsel, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-9150.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On June 28, 2018, the Commission published a final rule amending its FOIA regulations at 17 CFR 200.80 (Securities and Exchange Commission records and information). Because of the breadth of the amendments, the final rule removed the Commission's prior FOIA regulations in their entirety (§ 200.80 and appendices A through F) and replaced them with new regulations (§ 200.80).

In light of the 2018 amendments of its FOIA regulations, the Commission is now adopting technical amendments to other sections of title 17, chapter II of the Code of Federal Regulations to update cross-references to the

Commission's FOIA regulations (§ 200.80) that are contained in those sections.

##### II. Administrative Law Matters

The Administrative Procedure Act ("APA") generally requires an agency to publish notice of a rulemaking in the **Federal Register** and provide an opportunity for public comment. This requirement does not apply, however, if the agency "for good cause finds . . . that notice and public procedure are impracticable, unnecessary, or contrary to the public interest."<sup>1</sup> The technical amendments do not impose any new substantive regulatory requirements on any person. The technical amendments merely update cross-references in the Commission's regulations. These amendments are therefore ministerial in nature. For these reasons, there is good cause for the Commission to find that it is unnecessary to publish notice of these amendments in the **Federal Register** or to solicit public comment thereon.<sup>2</sup> Although the APA generally requires publication of a rule at least 30 days before its effective date, for similar reasons we further find there is good cause for the amendments to take effect on September 26, 2019. Additionally, the provisions of the Regulatory Flexibility Act, which apply only when notice and comment are required by the APA or other law, are not applicable.<sup>3</sup> These amendments do not contain any collection of information requirements as defined by the Paperwork Reduction Act of 1995.<sup>4</sup>

Pursuant to the Congressional Review Act,<sup>5</sup> the Office of Information and Regulatory Affairs has designated this final rule as not a "major rule," as defined by 5 U.S.C. 804(2).

##### III. Economic Analysis

We are adopting technical amendments to update cross-references to Commission rules in light of recent amendments to the Commission's FOIA regulations. These amendments merely make conforming changes to Commission rules that cross-reference the FOIA regulations and do not impose any substantive regulatory obligations on any person or otherwise. We expect the amendments to help eliminate potential confusion that could result from outdated cross-references. We do not believe they will have any

<sup>1</sup> U.S.C. 553(b)(3)(B).

<sup>2</sup> This finding also satisfies the requirements of 5 U.S.C. 808(2), allowing the amendments to become effective notwithstanding the requirement of 5 U.S.C. 801.

<sup>3</sup> 5 U.S.C. 601 *et seq.*

<sup>4</sup> 44 U.S.C. 3501 *et seq.*

<sup>5</sup> 5 U.S.C. 801 *et seq.*

substantial economic effects, including on efficiency, competition, or capital formation. Further, because the amendments impose no new burdens on private parties, the Commission does not believe that the amendments will have any impact on competition for purposes of section 23(a)(2) of the Securities Exchange Act of 1934 ("Exchange Act").<sup>6</sup>

##### IV. Statutory Authority

These technical amendments are adopted pursuant to statutory authority granted to the Commission under Section 19(a) of the Securities Act of 1933 and section 23(a) of the Exchange Act.

##### List of Subjects

###### 17 CFR Part 200

Authority delegations (Government agencies), Freedom of information, Organization and functions (Government agencies), Reporting and recordkeeping requirements.

###### 17 CFR Part 201

Administrative practice and procedure.

###### 17 CFR Part 229

Reporting and recordkeeping requirements.

###### 17 CFR Part 230

Confidential business information, Reporting and recordkeeping requirements.

###### 17 CFR Part 240

Confidential business information, Reporting and recordkeeping requirements.

##### Text of Amendments

For the reasons set out above, the Commission is amending title 17, chapter II, of the Code of Federal Regulations as follows:

#### PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

##### Subpart A—Organization and Program Management

- 1. The general authority citation for part 200, subpart A, continues to read as follows:

**Authority:** 15 U.S.C. 77c, 77o, 77s, 77z-3, 77sss, 78d, 78d-1, 78d-2, 78o-4, 78w, 78ll(d), 78mm, 80a-37, 80b-11, 7202, and 7211 *et seq.*, unless otherwise noted.

\* \* \* \* \*

- 2. Amend § 200.30-14 by revising paragraph (c) to read as follows:

<sup>6</sup> 15 U.S.C. 78w(a)(2).